

CITY COUNCIL MINUTES

City Council Chambers
June 13, 1995

The meeting was called to order at 5:10 p.m.

Present on roll call: 9 - Baarsma, Crowley, De Forrest, Evans, Kirby, McGavick, Miller, Silas, and Mayor Moss.

The Flag Salute was led by Council Member Miller.

CONSENT AGENDA

Approval of the minutes of the Tacoma City Council meeting of May 23, 1995.

RESOLUTIONS:

Resolution No. 33049

Setting Tuesday, July 25, 1995, at 9:00 a.m. as the date for a hearing by the Hearing Examiner on the request to vacate the northerly eight feet of Tanglewood Avenue between East B Street and McDacer Avenue. (Mr. and Mrs. John C. Barbour, Jr.; File No. 124.1019)

Resolution No. 33050

Setting Tuesday, July 25, 1995, at 9:00 a.m. as the date for a hearing by the Hearing Examiner on the request to vacate portions of South 19th, Hood, C and Commerce Streets for the University of Washington, Tacoma Branch Campus, Phase 1 project. (University of Washington; File No. 124.1020)

ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

- a. Minutes of the meeting of the Public Utility Board and study session of May 10, 1995.
- b. Minutes of the meeting of the Civil Service Board, May 1, 1995.
- c. Minutes of the meeting of the Tacoma-Davao Sister City Committee, May 2, 1995.
- d. Minutes of the meetings of the Tacoma Transportation Committee, April 27, and May 11, 1995.
- e. Tacoma Public Utilities Annual Report, 1994.

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- f. Report of the Director of Finance, March 1995.
- g. Monthly Financial Reports for Light Division, Water Division, Belt Line Division, Conservation Project Fund, Data Processing Fund, Fleet Services Fund, Geographic Information System Fund, and Self-Insurance Claim Fund, March 1995.
- h. City of Tacoma Final Biennial Budget, 1995-1996.

Council Member Miller moved that the Consent Agenda, including Resolution Nos. 33049 and 33050, be approved. Seconded by Council Member Crowley. Voice vote was taken and carried. The Consent Agenda was declared approved.

Mayor Moss proclaimed the week of June 18 through 24, 1995, to be "Hire a Veteran Week," and presented the proclamation to Mr. Cantu.

REGULAR AGENDA

ANNOUNCEMENTS, PRESENTATIONS AND APPOINTMENTS:

Resolution No. 33051

Appointing Christopher Thompson to the Planning Commission.

Council Member De Forrest asked if the Resolution before the Council was the result of the Mayor's ability under the City Charter to nominate appointments to the Council and that the Resolution was not a result of the activities that took place last week. Mayor Moss assured that this was the case.

Council Member Miller moved that the Resolution be adopted. Seconded by Deputy Mayor Evans. Voice vote was taken and carried. The Resolution was declared adopted.

COMMUNICATIONS:

- a. Hearing Examiner submitting Shoreline Management Substantial Development Permit No. 141.576 for the installation of stormwater drainage improvements, paving of existing and new boatyard areas, and the construction of a new travel lift pier structure, an electric boat lift, bulkhead, concrete wash pad, and parking area located at 1940 Marine View Drive. (Ronald Oline; File No. 141.576)

Council Member Miller moved to concur in the Findings, Conclusions and Recommendations of the Hearing Examiner. Seconded by Council Member Crowley. Roll call vote was taken, resulting as follows: Ayes: 9 - Baarsma, Crowley, De Forrest,

Evans, Kirby, McGavick, Miller, Silas, and Mayor Moss. Nays: 0. The motion was declared adopted.

- b. Hearing Examiner submitting Shoreline Management Substantial Development Permit No. 141.586 for the construction of side sewers to 18 single-family homes and two commercial buildings located on Marine View Drive between East 11th Street and the Tye Marina. (Tacoma Public Works Department; File No. 141.586)

Council Member Miller moved to concur in the Findings, Conclusions and Recommendations of the Hearing Examiner. Seconded by Council Member Crowley. Roll call vote was taken, resulting as follows: Ayes: 9 - Baarsma, Crowley, De Forrest, Evans, Kirby, McGavick, Miller, Silas, and Mayor Moss. Nays: 0. The motion was declared adopted.

FINAL READING OF ORDINANCES:

Ordinance No. 25712

Accepting a donation of surplus plywood from The Boeing Company for practice target backing use at the Harrison Shooting Range.

Roll call vote was taken, resulting as follows:

Ayes: 9 -- Baarsma, Crowley, De Forrest, Evans, Kirby, McGavick, Miller, Silas, and Mayor Moss.

Nays: 0.

The Ordinance was declared passed.

Ordinance No. 25716

Accepting donations in the amount of \$68,991.01, depositing said sum in the Miscellaneous Trust Summary Fund and transferring \$81,543.94 from the Miscellaneous Trust Summary Fund for the D.A.R.E. program.

Roll call vote was taken, resulting as follows:

Ayes: 9 -- Baarsma, Crowley, De Forrest, Evans, Kirby, McGavick, Miller, Silas, and Mayor Moss.

Nays: 0.

The Ordinance was declared passed.

Ordinance No. 25717

Accepting a grant award in the amount of \$113,900 from the Washington State Department of Natural Resources, depositing said sum in the Right-of-Way Enhancement Fund and appropriating \$328,900 for the Eastside Neighborhood Street Tree Plantings, the Tacoma Dome and Lincoln Business District Street Tree Planting Projects.

Roll call vote was taken, resulting as follows:

Ayes: 9 -- Baarsma, Crowley, De Forrest, Evans, Kirby, McGavick, Miller, Silas, and Mayor Moss.

Nays: 0.

The Ordinance was declared passed.

FIRST READING OF ORDINANCES:

Ordinance No. 25718

Amending Chapter 13.10 of the Official Code on regulations for shoreline areas to be consistent with the Master Program for Shoreline Development.

The Ordinance was set over for final reading next week.

RESOLUTIONS:

Resolution No. 33039 (Continued from the meeting of June 6, 1995.)

Authorizing the execution of an agreement with Pacific Groundwater Group in the amount of \$673,728 to conduct a study for groundwater monitoring and remedial design services of the Tacoma Landfill.

Deputy Mayor Evans moved that the Resolution be adopted. Seconded by Council Member Miller. Voice vote was taken and carried. The Resolution was declared adopted.

Resolution No. 33040 (Continued from the meeting of June 6, 1995.)

Authorizing the execution of an agreement with Northwest Enterprises in the amount of \$180,000 for storm sewers in the vicinity of North Shore Golf Course to serve Harbor Ridge.

Council Member Miller moved to suspend the rules to consider Substitute Resolution No. 33040. Seconded by Council Member Crowley. Voice vote was taken and carried. The motion was declared adopted.

Council Member Miller moved that the Substitute Resolution be adopted. Seconded by Council Member Crowley. Voice vote was taken and carried. The Substitute Resolution was declared adopted.

Purchase Resolution No. 33052

Awarding contracts to:

1. Boise Cascade Office Products in the amount of \$460,000 to renew their contract for office supplies - Specification No. G-010-93; and
2. Janco United, Inc., in the amount of \$35,000 to increase their contract for janitorial paper supplies - Specification No. G-028-92.

Council Member Miller moved that the Purchase Resolution be adopted. Seconded by Council Member Crowley.

Voice vote was taken and carried on the Purchase Resolution. The Purchase Resolution was declared adopted.

Resolution No. 33053

Authorizing the submittal of a grant application to the U. S. Department of Housing and Urban Development in the amount of \$416,000 for Section 8 rental vouchers or certificates for transitional housing.

Deputy Mayor Evans moved that the Resolution be adopted. Seconded by Council Member Silas. Voice vote was taken and carried with Council Member De Forrest voting in opposition. The Resolution was declared adopted.

PUBLIC HEARINGS AND APPEALS: (Began at 6:00 p.m.)

This is the date set for a public hearing by the City Council on the proposed land exchange of approximately 38 acres of surplus Water Division property in the Green

5

River Watershed for approximately 24 acres of property with Plum Creek Timber Company.

There were no speakers before the Council.

The hearing was declared closed at 6:06 p.m.

UNFINISHED BUSINESS:

Council Member Baarsma commented that after reviewing the draft Council minutes of June 6, 1995 and reading a copy of Resolution No. 32953 which was sent to Congressman Tate by the Eastside Neighborhood Advisory Council of Tacoma, the amended language to the Resolution that was voted upon on June 6, 1995 was not reflected in the copy of the Resolution sent to Congressman Tate. Council Member Baarsma indicated that the amended language of Resolution No. 32953 should read as follows:

“BE IT FURTHER RESOLVED that the officers of the City of Tacoma are directed to review all funding options for the design and construction of SR-509 on-off ramps to Portland Avenue and report back to the City Council with specific recommendations concerning funding strategies.”

Council Member Baarsma indicated it was an embarrassment to forward the Resolution with incorrect language. Council Member Baarsma moved to reconsider Resolution No. 32953. Seconded by Deputy Mayor Evans. Council Member De Forrest indicated that the motion for reconsideration was out of order since the Council has yet to approve the June 6, 1995 Council meeting minutes and that Resolution No. 32953 was not yet official. City Attorney Robin Jenkinson indicated that staff will review the matter and if any additional Council action is required, it will be brought before the Council. Council Member Baarsma and Deputy Mayor Evans withdrew their motion.

REPORTS BY CITY MANAGER:

City Manager Ray E. Corpuz, Jr. requested Council's approval for reasonable and necessary moving expenses in an amount not to exceed \$1,500 to relocate Robin Jenkinson, City Attorney, within the corporate limits of Tacoma pursuant to the Compensation Plan, Section 1.12.110D.

Council Member Miller moved to approve reasonable and necessary moving expenses in an amount not to exceed \$1,500 to relocate Robin Jenkinson, City Attorney, within the corporate limits of Tacoma pursuant to the Compensation Plan, Section 1.12.110D. Seconded by Council Member Silas.

6

Council Member Miller indicated that he was disturbed that there had been a pattern of issues that have come before the Council at the last minute. He indicated that the Washington State Open Meetings Act clearly requires that the public be notified of the content of the Council meetings in advance. He added that Council Rules specifically indicate that no issue will come before the Council unless it is provided to the Clerk on the Friday before the Council meeting. Council Member Miller questioned whether the motion that was just made required a suspension of the Council Rules. He added that this item was probably anticipated and that this should have been made a part of the Council agenda so that the public is made aware of what will be considered by the Council. Council Member Miller emphasized that to the greatest extent possible to ensure that Council action items get on the agenda and not have last minute Council Rule suspensions.

Council Member Miller moved to suspend the rules to consider the previous motion. Seconded by Council Member Crowley. Voice vote was taken and carried. The motion was declared adopted.

Voice vote was taken and carried on the motion as previously read with Council Member De Forrest voting in opposition. The motion was declared adopted.

Mr. Corpuz reported that Council was provided with a draft letter to the U. S. Department of Energy that will be submitted as a part of the record on whether Tacoma should be used as a spent nuclear fuel site. Council Member Baarsma encouraged citizens to attend and participate in the public hearing on this issue. The hearing will be held on Monday, June 19, 1995 at 6:00 p.m. at Tacoma Public Utilities.

Mr. Corpuz reported that in response to the King County Superior Judge who handled the SEATTLE TIMES versus the University of Washington issue, the City Attorney has prepared a draft resolution for the Council's consideration which would improve the appointment process and deal with the questions that were raised recently by the King County Judge and the Attorney General's Office. City Attorney, Robin Jenkinson, explained that on June 6, 1995 King County Superior Judge ruled on the SEATTLE TIMES versus the University of Washington matter. She indicated that in the printed transcript of that case, which had to do with the selection of a presidential candidate for the University, the Judge ruled that no straw vote may be taken, no collective decision or consensus may be reached during Executive Session. Ms. Jenkinson further explained that the draft resolution before the Council is to amend the current policies for the committee appointment process to set forth clearly that in those cases where it would be appropriate to have an Executive Session discussion of qualifications of candidates, it would not be appropriate to take any nature of vote during Executive Session. Ms. Jenkinson recommend that the Council adhere to the ruling of the King County Superior Court.


COMMENTS AND COMMITTEE REPORTS OF CITY COUNCIL:


Council Member McGavick stated that she had been running a popularity poll on her answering machine for the Chief of Police and indicated that her intent was not to attack the Chief of Police in any way and that she did not want the Chief or Police Department to be a campaign issue. She indicated that the Police Department is doing a great job in the community. She explained that her questioning began during the Council budget hearings in December and after asking repeatedly for answers to her questions, and out of frustration, she started a poll of the public. She indicated that THE NEWS TRIBUNE interviewed her when they discovered she was conducting a poll. She indicated that she repeatedly told THE NEWS TRIBUNE that the poll was not about supporting or not supporting the Chief, but that it was about getting her questions answered. She indicated that the article and editorial painted a different picture. On a personal matter, she reported that the Police responded very promptly to a recent burglary in her neighborhood. She apologized to the Police Chief for THE NEWS TRIBUNE's interpretation of her comments as non-supportive. However, she indicated that she would not apologize for asking questions and requesting information about the budget, staff utilization and accountability.

Council Member De Forrest requested that the Police Chief provide the Council with information on how many police officers will be needed to comply with the unfunded mandate on the domestic bill. Council Member De Forrest indicated that last Sunday he attended a dedication of a home in East Tacoma, the Habitat of Humanity. Council Member De Forrest indicated that there is also a home being building for the disabled.

Mayor Moss commented on the ground breaking ceremony he attended where land was turned over from the National Guard. Mayor Moss commented on the International Association of Ports and Harbors meeting he attended in Seattle dedicating the activity of the Ports of Tacoma and Seattle.

On proper motion, the meeting was adjourned at 7:06 p.m.

ATTEST: 
RICK ROSENBLADT, ACTING CITY CLERK


HAROLD G. MOSS, MAYOR

8